

EXHIBIT E

DENNIS MCCARTHY June 12, 2008

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

- - - - -X
 COPART INC., :
 :
 Plaintiff, :
 :
 vs. :
 : Case No.
 CRUM & FORSTER INDEMNITY : C 07 2684 CW
 COMPANY, UNITED STATES FIRE :
 INSURANCE COMPANY, and DOES :
 1-10, Inclusive, :
 :
 Defendants. :
 :
 - - - - -X
 UNITED STATES FIRE INSURANCE :
 COMPANY, :
 :
 Counterclaimant, :
 :
 vs. :
 :
 COPART, INC., :
 :
 Counterdefendant. :
 :
 - - - - -X

VIDEOTAPED DEPOSITION of DENNIS MCCARTHY,
 taken by the Plaintiff, at the offices of MERRILL
 LEGAL SOLUTIONS, 60 Park Avenue, Newark, New Jersey,
 on Thursday June 12, 2008 commencing at 9:47 a.m.,
 before Jamie I. Moskowitz, CSR, RPR, CRR, a Certified
 Shorthand (Stenotype) Reporter and Notary Public
 within and for the State of New Jersey.

1 D. McCarthy

2 they have got the right iteration.

3 Q And both the policy and the right
4 iteration of the SOV should live in the claim
5 file, right?

6 A Yes.

7 Q And do you independently, I know we
8 talked about some of the things you do to spot
9 check what's happening with the volume of claims.

10 Is one of the things you do check
11 the hard copy claims files to see what's in them
12 and see if they're accurate?

13 A If I need to. I don't do it all the
14 time, but if it's -- if it's a complex issue, yes.

15 Q And do your next line managers, Joe
16 Price and Michelle Best, also do that from
17 time-to-time, spot check the hard copy claims file
18 to ensure its accuracy?

19 A I'm sure they do.

20 Q And with respect to Claims Assure,
21 are there any kind of instructions or rules that
22 you provide to the folks, understanding that it's
23 a user-friendly system, about how it should be
24 maintained?

25 In other words, should all the

1 D. McCarthy

2 entries be as accurate as possible?

3 A Absolutely.

4 Q And when cutting and pasting should
5 the entries also be as accurate as possible?

6 A Absolutely.

7 Q And what about in terms of dates?

8 The electronic claims file seems to have a date
9 and time and then the category for the entry.

10 Is it important that a claims
11 technician makes sure to enter things on the right
12 date?

13 A The system takes care of all that.
14 If you add a note, you're not in control of any of
15 that. If I go in today and enter a note, all that
16 comes up.

17 Q The date automatically comes up?

18 A As soon as I save it, it's a
19 permanent part of that claim file.

20 Q I see. And it's important -- let me
21 ask it this way: Why is an electronic, or why is
22 a claims file important?

23 MS. MILLIKAN: Objection,
24 vague and overbroad. But again, you
25 can answer the question.

1 D. McCarthy

2 A Well, I mean, we are a corporation,
3 okay? We have stockholders and shareholders. I
4 think we have to justify why we reserve cases and
5 make payments.

6 Q Is another reason a claims file is
7 important is to be able to reconstruct events that
8 happened a few years back?

9 Memories fade and that way you have
10 an accurate and truthful rendition of what was
11 happening realtime?

12 A Yes.

13 Q And is the accuracy and truthfulness
14 of the claims file something that you stress to
15 your claims personnel?

16 A Yes.

17 Q Let me ask about independent
18 adjuster reports. I know you have an in-house
19 adjuster, but there are times when you also hire
20 independent firms to help you adjust claims,
21 right?

22 A Yes.

23 Q And let's say the independent
24 adjuster produces a written report. How is that
25 supposed to live; in the hard copy claims file or